

Attorney's Docket No.: 07039-411US1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Russell et al.  
Serial No. : 09/043,665  
Filed : October 5, 1998  
Title : MATERIALS AND METHODS RELATING TO THE TRANSFER OF  
NUCLEIC ACID INTO QUIESCENT CELLS

Art Unit : 1632  
Examiner : R. Shukla

Commissioner for Patents  
Washington, DC 20231

PRELIMINARY AMENDMENT

In response to the action mailed March 13, 2002, please amend the application as follows:

In the claims:

Please cancel claims 11-21.

Please amend claims 1-2, 4, and 6-8 as follows:

SUB F1  
E1 -- 1. (Three Times Amended) A method of transforming a quiescent cell with a nucleic acid encoding a polypeptide, the method comprising:  
exposing said quiescent cell in vitro to a retroviral packaging cell, said retroviral packaging cell comprising a retroviral vector and an exogenous nucleic acid encoding a growth factor, wherein said growth factor is displayed on the surface of said retroviral packaging cell, wherein said retroviral vector comprises said nucleic acid encoding said polypeptide, and wherein the surface bound growth factor induces said quiescent cell to divide, so that the nucleic acid encoding said polypeptide can incorporate into the genome of said cell.

E2 2. (Amended) The method of claim 1 wherein said quiescent cell is a hematopoietic stem cell.

## CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

Date of Transmission

November 12, 2002

Signature

Kathryn J. Sanderson  
Typed or Printed Name of Person Signing Certificate